THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.17765 OF 2005

Between:

C.Yadagiri Reddy and others …Petitioners

And

The District Collector and others …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.17765 OF 2005

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ):

Heard learned counsel for the parties.

The land, which is subject matter of the writ petition, has been notified for the purpose of acquisition under Section 4(1) of the Land Acquisition Act, 1894 (for short "the Act"). The petitioners have not been shown as owners or possessors of the land

in the notification, whereas they claimed to be the owners. It appears that there is a dispute between the petitioners and those who have been shown as owners in the notification. It is submitted that a temple by name 'Sri Laxmi Narasimha Swamy temple' has been shown as the owner of the property. Disputes with regard to the title of the property, which is under acquisition, can be resolved in terms of the provisions of the Act. The petitioners shall get sufficient opportunity to put forth their claim in response to various notifications, which will have to be issued by the Land Acquisition Officer. They will also have opportunity even at the stage of passing of award and also after passing of award to put forth their claim. For these reasons, the writ petition deserves to be dismissed and is accordingly dismissed. However, the petitioners are at liberty to put forth their claim with regard to the land that is being acquired before the Land Acquisition Officer or other authorities under the Act. No order as to costs.

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(Bilal Nazki, ACJ)

26th October, 2005

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(R.Subhash Reddy,J)

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